

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Sep 24, 2021**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Lane Wyman

Case Number: 0980 2:99CR02009-SAB-1

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge

Date of Original Sentence: August 31, 1999

Original Offense: Second Degree Murder, 18 U.S.C. § 1111

Original Sentence: Prison - 262 months
TSR - 60 months

Type of Supervision: Supervised Release

Revocation Sentence: Prison - Time Served (21 days)
(April 9, 2021) TSR - 59 months

Asst. U.S. Attorney: Michael Davis Murphy

Date Supervision Commenced: April 13, 2021

Defense Attorney: Robin Collett Emmans

Date Supervision Expires: March 12, 2026

PETITIONING THE COURT**To issue a warrant.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<u>Special Condition # 2:</u> You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.
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Supporting Evidence: It is alleged that Mr. Wyman violated his conditions of supervised release by failing to participate in treatment at Pioneer Human Services on the following dates: July 20 and 22, 2021; August 5, 9, and 20, 2021; and September 8, 10, 20, and 22, 2021.

On April 16, 2021, a U.S. probation officer reviewed Mr. Wyman's conditions of supervision with him. He signed his judgment acknowledging an understanding of his conditions of supervision, including special condition number 2.

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Mr. Wyman has been engaged in intensive outpatient treatment at Pioneer Human Services since his successful completion of inpatient treatment. Pioneer Human Services contacted the undersigned officer and advised Mr. Wyman was not present for group or individual counseling sessions on the dates listed above.

- 2 **Special Condition # 3:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: It is alleged that Mr. Wyman violated his conditions of supervision by using methamphetamine on or about September 1 and 21, 2021.

On April 16, 2021, a U.S. probation officer reviewed Mr. Wyman's conditions of supervision with him. He signed his judgment acknowledging an understanding of his conditions of supervision, including special condition number 3.

On September 2, 2021, Mr. Wyman reported to the probation office at the direction of the undersigned officer for urinalysis testing. The urine sample was presumptive positive for methamphetamine, in which he admitted to using methamphetamine on September 1, 2021. Mr. Wyman signed an admission form.

On September 22, 2021, Mr. Wyman reported to the U.S. Probation Office in Yakima, Washington, at the direction of the undersigned officer to submit to urinalysis testing. Mr. Wyman admitted to using methamphetamine on September 21, 2021, after the urine sample he submitted tested presumptive positive for methamphetamine. He signed an admission form.

- 3 **Special Condition # 4:** You must not enter into or remain in any establishment where alcohol is the primary item of sale. You must abstain from alcohol and must submit to urinalysis and Breathalyzer testing as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: It is alleged that Mr. Wyman violated his conditions of supervision by consuming alcohol on or around September 19, 2021.

On April 16, 2021, a U.S. probation officer reviewed Mr. Wyman's conditions of supervision with him. He signed his judgment acknowledging an understanding of his conditions of supervision, including special condition number 4.

On September 20, 2021, the undersigned officer received a telephone call from the Yakima County Sheriff's Office, as they had Mr. Wyman pulled over on a traffic stop. The deputy indicated there was an open container of beer in the vehicle and Mr. Wyman was cited. On September 21, 2021, the undersigned officer spoke with Mr. Wyman about the open container of alcohol in the vehicle he was driving. Mr. Wyman indicated he consumed alcohol the night before his traffic stop, on September 19, 2021

- 4 **Special Condition # 3:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

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Supporting Evidence: It is alleged that Mr. Wyman violated his conditions of supervision by failing to appear for random urinalysis testing at Pioneer Human Services on September 17, 2021.

On April 16, 2021, a U.S. probation officer reviewed Mr. Wyman's conditions of supervision with him. He signed his judgment acknowledging an understanding of his conditions of supervision, including special condition number 3.

On September 17, 2021, the assigned color for urinalysis testing at Pioneer Human Services was gold 3, Mr. Wyman's assigned color for urinalysis testing. On September 22, 2021, the undersigned received the roster from Pioneer Human Services, which documented Mr. Wyman as a no show.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the warrant to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 09/23/2021

s/Corey M. McCain

Corey M. McCain
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

09/24/2021

Date